




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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,894	12/22/2000	Yoshifumi Suzuki	201166US2	6556
22850	7590	12/16/2004		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER SEFCHECK, GREGORY B	
			ART UNIT 2662	PAPER NUMBER

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/741,894	Applicant(s) SUZUKI ET AL.	
	Examiner Gregory B Sefcheck	Art Unit 2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- Applicant's Amendment filed 7/29/2004 is acknowledged.
- Claims 1-3, 7-13, 16, 19-22, and 24 have been amended. The previous rejection of claims 1-30 under 35 USC 112, 2nd paragraph regarding the use of the terminology "higher-rank stations of nodes" and "fixed" is withdrawn.
- Claims 1-30 remain pending.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3-7 and 13-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- In regards to Claims 3-7 and 13-17,

Reference to "the own address/station/apparatus" in claims 3-7 and 13-17 is indefinite. It is not clearly shown how the own address/station/apparatus is used to determine routing decisions. If "own" refers to the current location of the packet, it is unclear how the address relates to the source and destination addresses of the received packet and how "converting" is performed in relation to these addresses. Differentiation among the multiple addresses being modified within a packet, in general, is unclear.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Wada et al. (US005517618A), hereafter Wada.

- In regards to Claims 1-3, 9-13, 21-23, 29, and 30

Wada discloses a node interfacing multiple networks and method of communicating packets having a destination and source address in a communication system (Abstract; Fig. 11; claim 1,11,13,14,16-21 – communication method/node in communication system employing a packet having a source and destination address; claims 19,20 - node provides an interface with the other network; claim 9,10,29,30 – when the destination terminal belongs to another network, the source terminal transmits the packet having an address given to the destination terminal as the destination address thereof).

Wada discloses the use of a predetermined address for packet transmission and reception (Col. 1, lines 55-57; claim 1,11,21 – making a predetermined number of bits of the source and destination address predetermined addresses).

Referring to Fig. 6-9, Wada shows gateway (repeating node) that utilizes a table for converting the source and destination address of the packet to an updated/migration address and transfers the packets (Col. 17, lines 30-67; claim 1,11,21 – repeating node/part converting the predetermined address of the source address into an address of a higher-rank station of said repeating node; claim 1,11,21 – repeating node/part converting the predetermined address of the destination address into an address of a higher-rank station of a last repeating node for a destination terminal and transferring the packet; claim 2,12,22 – repeating node/part converts the predetermined address of the source address into an address of a node having a table of an address of a higher-rank station of a last repeating node for each terminal, when the address of the higher-rank station of the last repeating node for the destination terminal is not known and transfers the packet; claim 3,13,23 – node/converting part having the table converts the own address in the destination address into the address of the higher-rank station of the last repeating node for a destination terminal and transfers the packet; claim 9,29 – the repeating node/converting part converts the predetermined address in the source address into the address of the higher-rank station of said repeating node and transfers the packet to a gateway station which provides an interface with the other network; claim 9,19,29 – gateway station/converting part converts the address of the higher-rank station into the predetermined address and transfers the packet into another network; claim 10,20,30 – gateway station/converting part converts the predetermined address in the destination address of the packet into the address of the higher-rank station of the last repeating node for the destination terminal and transfers the packet).

- In regards to Claims 4, 5, 14, 15, 24, and 25,

Wada discloses a node interfacing multiple networks and method of communicating packets having a destination and source address in a communication system that covers all limitations of the parent claims.

Wada shows that the packet is transferred without a need for corresponding migration addresses when the address in the packet coincides with the current address for the destination stored in (Figs. 10a/b and 13; claim 4,14,24 – higher-rank station of the repeating node/transferring part transfers the packet without changing the source address when the address of the higher-rank station in the source address coincides with the address of the own station; claim 4,14,24 – higher-rank station/converting part converts the address of the higher-rank station in the source address into the address of the own station when the address of the higher-rank station in the source address does not coincide with the address of the own station and transfers the packet; claim 5,15,25 – higher-rank station of the repeating node/instructing part instructs the higher-rank station having the source address originally written in the packet to transfer a packet addressed to said source terminal to the own station, when the address of the higher-rank station in the source address does not coincide with the address of the own station; claim 5,15,25 – higher-rank station of the repeating node/instructing part further instructs a node having the table of the address of the higher-rank station of the last repeating node for each terminal to update said table).

- In regards to Claims 6-8, 16-18, and 26-28,

Wada discloses a node interfacing multiple networks and method of communicating packets having a destination and source address in a communication system that covers all limitations of the parent claims.

Wada discloses that the gateway transfers the packet without changing the destination address when the address coincides with the current address for the destination (Col. 17, lines 30-50; claim 6,16,26 – higher-rank station of the last repeating node/transferring part transfers the packet without changing the destination address when the address of the higher-rank station in the destination address coincides with the address of the own station and no transfer instructions are given for the destination terminal; claim 17 – determining part determines whether or not an address of a higher-rank station in the destination address of a packet does not coincide with an address of the own apparatus).

The gateway converts the address to the updated/migration destination address when the destination address of the packet does not coincide with the current address for the destination (Col. 17, lines 30-50; claim 6,16,26 – higher-rank station of the last repeating node/convert part converts the address of the higher-rank station of the destination address into an address of a higher-rank station of the destination of the instructed transfer when the address of the higher-rank station in the destination address coincides with the address of the own station and transfer instructions are given for the destination terminal, and transfers the packet; claim 7,17,27 – higher-rank

station of the last repeating node/transferring part transfers the packet when the address of the higher-rank station in the destination address does not coincide with the address of the own station/apparatus; claim 8,18,28 – the last repeating node/converting part converts the addresses of higher-rank stations in the source and destination address into the predetermined addresses and transfers the packet to the destination terminal

Response to Arguments

5. Applicant's arguments filed 7/29/2004 have been fully considered but they are not persuasive.

- In the Remarks on pg. 15 of the Amendment, the Applicant contends that the use of the term "own" is clear in light of the specification regarding Fig. 3.
- The Examiner respectfully disagrees with the Applicant on this point of clarity. Claims 3-7 and 13-17 remain unclear in defining "an own station" and/or "the own station" in relation to the nodes involved in the transmission routing of a packet. It appears that "own station" is used to refer to several different nodes as the packet progresses from source to destination within the claimed method. The use of such vague terms, including reference to different "higher-ranked stations" throughout the

method, creates confusion within the claims. The Examiner suggests the use of more specific labels to each of the nodes/stations involved in the method such that the steps of the method can be more clearly understood.

- In the Remarks on pg. 16 of the Amendment, the Applicant contends that Wada does not disclose a predetermined address converted into an address of its own higher-rank station.
- The Examiner respectfully disagrees. As shown in Figs. 6-9, Wada discloses converting the source address of a transmission as it transits between network elements through a gateway. It is the opinion of the Examiner that the process of address conversion disclosed by Wada in Figs. 6-9 and the corresponding passages (columns 15-16 and cited sections of column 17) anticipate the address conversion, as best understood, claimed by the Applicant.

Conclusion

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

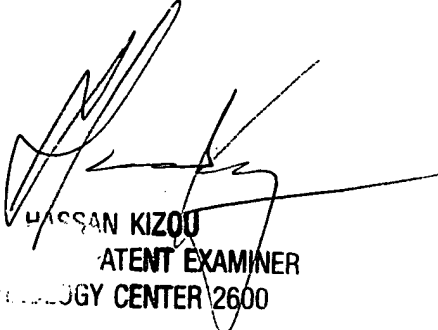
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory B Sefcheck whose telephone number is 571-272-3098. The examiner can normally be reached on Monday-Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GBS
12-8-2004


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